



Guide to Applying for a Development Permit (Major)

What is a Development Permit (Major)?

The Official Community Plan (OCP) establishes form and character Development Permit Areas within the Town. These include all areas designated in the OCP for Intensive Neighbourhood Residential, Neighbourhood Townhouse, Multi-Unit Residential, Neighbourhood Commercial, Downtown Commercial, West Sidney Mixed Use Village, West Side Industrial, and Harbour Road Marine. These are areas where new construction or alterations to buildings and land are controlled by design guidelines in the OCP.

Each Development Permit Area is subject to specific development guidelines. These guidelines address such things as building design, landscaping, pedestrian walkways, lighting and signage.

Any new development or changes to an existing building or land within a Development Permit Area must conform to the respective development guidelines. Before a building permit can be issued, a Development Permit must be reviewed by staff and approved by Council.

If approved, a notice of the issuance of a permit is registered on the title of the property.

When do I need to apply for a Development Permit (Major)?

If your property is located within one of the designated form and character Development Permit Areas and you are:

- undertaking any kind of new construction, or additions or alterations to the exterior of an existing building that results in an increase in the Gross Floor Area (G.F.A), or
- making changes to the number of parking spaces on a property

you are required to first obtain a Development Permit (Major) before applying for a Building Permit or commencing any work.

If you are not sure whether your property is within a Development Permit Area, contact the Development Services Department.

Who can apply?

A property owner can apply for a Development Permit, or they can authorize someone else to make the application on their behalf. Authorization must be received in writing. Where a property is owned by a company or society, the application must be signed by a person with signing authority and must include a copy of the corporate registry naming the individuals with signing authority. Where a property is owned by more than one person, signatures of all owners are required. For strata buildings, approval is also required from the Strata Council.

How do I apply?

To apply for a Development Permit (Major), obtain an application form and checklist from the Town Hall, or the Town of Sidney website (www.sidney.ca) and return them with the application fee and all required information. Before you make a formal application, be sure to discuss your project with a planning staff member in the Development Services Department. To make an appointment, or for more information, contact the Development Services Department at 250-656-1725 or developmentsservices@sidney.ca.

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How long does it take?

Development Permit (Major) applications take approximately four to six months to process. However, this time may vary depending on whether the submitted application package is complete, the complexity of the proposed changes, and the number of other applications under review.

If the Development Permit also requires a Development Variance Permit, or amendments to the Zoning Bylaw and/or the OCP, the applications can be submitted and reviewed concurrently, thus streamlining the development process.

What is the cost?

The cost of a Development Permit (Major) application is as follows:

- \$300.00 plus \$50.00 per unit of residential construction as per the application;
- \$300.00 plus \$0.50 x square metre of the proposed floor area as per application for all other uses;
- An additional \$300.00 mail-out deposit for properties designated as Downtown Commercial (COM-1) in the Official Community Plan Bylaw.

*Please note that all application fees are non-refundable. The cumulative total of both fees applies when the proposed development includes more than one use.

Fees are set in Land Use Procedures Bylaw No. 1380.

Who makes the decision?

The decision on whether to approve a Development Permit (Major) is made by Council.

What is the Development Permit (Major) Process?

The following is a summary of the application procedure for a Development Permit (Major), as shown on the attached flowchart.

NOTE: At any time in the following process, Council or Committee of the Whole may table an application, refer it for comment, or reject it.

1. Submission of Application

- **Preliminary discussion (recommended):** The applicant meets with Development Services Department planning staff to discuss the proposed project and review applicable planning regulations.
- **Application received:** The applicant submits an application form, drawings, fees, and other required information. Development Services staff review the application package to ensure all information has been provided. If there is missing information, staff will contact the applicant and require this information before the application package will be accepted as complete and proceeds for review.

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- **Radius Mail-out for Downtown Commercial:** When an application for a Development Permit (Major) for a property designated Downtown Commercial (COM-1) in the Official Community Plan Bylaw is received, staff will mail a notice with information on the development application within two weeks to residents and property owners within a 75 metre (246 feet) radius of the subject property.

2. Application Review & Report

- **Staff Review:** Planning staff will conduct an initial review of the application.
- **Referrals:** Applications may be referred to other Town of Sidney departments (Building Inspection, Engineering, Fire, Parks, and Public Works). Applications may also be referred to other agencies if relevant, such as the RCMP or Provincial ministries or to third party utility providers (BC Hydro, Telus, etc.). This allows for the input of comments or concerns relating to design, location or other aspects of the proposal.
- **Development Review Committee (DRC):** The DRC is a committee made up of representatives of each Town of Sidney department. They review major planning applications and comment on matters relevant to their departments. Planning staff gather comments and provide a summary to the applicant.
- **Detailed Report:** Staff check the proposal for conformance with relevant Town bylaws, such as the Official Community Plan, Zoning, Off-Street Parking and Loading, and Tree Preservation Bylaw.

A report is prepared by staff for the Committee of the Whole, summarizing the project, outlining any areas which do not conform to Town bylaws or are of concern, and providing recommendations. Once the Committee of the Whole agenda is finalized (usually the Thursday before a meeting), a link to the meeting agenda package which includes the staff report is sent to the applicant.

3. Committee & Council Review

- **Committee of the Whole:** The Committee of the Whole is a sub-committee of Council, which usually meets at 6:00 p.m. in Council Chambers at Town Hall on the first and third Monday of each month. The Committee of the Whole reviews the staff report and plans provided by the applicant. The applicant is expected to make a presentation to the Committee on their proposal at the meeting and submit any presentation materials (e.g. PowerPoint/PDF presentation, drawings, etc.) by 12:00pm on Tuesday prior to the meeting. The Committee of the Whole may refer the application to the Advisory Planning Commission for comment, or directly to Council with a recommendation. Committee of the Whole's recommendation is received by the Mayor and Council at a Regular Council meeting, where Council considers it and makes a resolution(s) on the matter.
- **Advisory Planning Commission (APC):** The APC usually meets on the first and third Tuesday of each month at 2:00 pm and provides recommendations to Council on matters relating to planning and land use. Applications are usually referred to the APC:
 1. if they propose new development in a designated development permit area: Intensive Neighbourhood Residential, Neighbourhood Townhouse, Multi-Unit Residential, Neighbourhood Commercial, Downtown Commercial, West Sidney Mixed Use Village, West Side Industrial, and Harbour Road Marine;
 2. if they involve properties designated as Heritage or Environmentally Sensitive; or
 3. at Council's discretion.

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Applicants are expected to make a brief presentation about their proposal to the Advisory Planning Commission and submit the presentation by 12:00pm on the day before the meeting.

- **Council:** Council meetings are usually held at 6:00 p.m. in Council Chambers at the Town Hall on the second and fourth Monday of each month. They review the recommendations from the various committees. If Council is satisfied that the internal review is complete, they will either approve the permit application or reject it. The authorization to issue the permit may be subject to certain conditions being met (such as the submission of revised drawings). If any revisions are made to the drawings after the initial submission, applicants must submit updated hard copies before the permit can be issued.

4. Permit Completion

- **Issue permit:** Once all conditions are met, staff issues the permit, and a Notice of Permit is registered on the title of the subject property. Upon confirmation by the Land Titles Office that the Notice of Permit has been registered, the applicant is notified and sent a copy of the registered Development Permit. The permit itself remains on file at the Town Hall.
- **Other permits:** The work approved by the Development Permit may still require a Building Permit before the owner can start making the changes approved by the Development Permit. Please check with Development Services staff to see what other permits may be required before starting work.

Contact Us:

Development Services Department

By Email: developmentservices@sidney.ca

By Phone: 250-656-1725

In Person: 2440 Sidney Ave, Sidney BC V8L 1Y7

(Monday to Friday 8:30 am – 4:00 pm excluding statutory holidays)

www.sidney.ca



Development Permit (Major) Application Process

